

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

CLIFFORD SCHUETT,

Plaintiff,

v.

Civil Action No. 3:18CV05

DR. DICOCCOO,

Defendant.

MEMORANDUM OPINION

Clifford Schuett, a federal inmate and a frequent litigator, submitted a letter to this Court seeking relief. By Memorandum Order entered on February 9, 2018, the Court informed Schuett that the Court cannot take action on letters or informal requests. Rather, Schuett must file a complaint. Accordingly, the Court provided Schuett with specific instructions for filing a particularized complaint and obtaining leave to proceed in forma pauperis. Specifically, with respect to the particularized complaint, the Court informed Schuett that:

b. The first paragraph of the particularized pleading must contain a list of defendants. Thereafter, in the body of the particularized complaint, Plaintiff must set forth legibly, in separately numbered paragraphs, a short statement of the facts giving rise to his claims for relief. Thereafter, in separately captioned sections, Plaintiff must clearly identify each civil right violated. Under each section, the Plaintiff must list each defendant purportedly liable under that legal theory and explain why he believes each defendant is liable to him. Such explanation should reference the specific numbered factual paragraphs in the body of the particularized complaint that support that

assertion. Plaintiff shall also include a prayer for relief.

(ECF No. 2, at 1.) The Court further informed Schuett that if he failed to comply with the Court's instructions within thirty (30) days of the date of entry thereof, the Court would dismiss the action without prejudice.

More than thirty (30) days have elapsed and Schuett has failed to comply with the Court's instruction. Although, Schuett filed a document that he labeled "Particular Complaint" (ECF No. 3), it fails to comply with the instructions set forth above. Furthermore, Schuett failed to submit a consent to collection of filing fees form or an in forma pauperis affidavit. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Schuett.

Date: *March 28, 2018*
Richmond, Virginia

/s/ *REP*
Robert E. Payne
Senior United States District Judge